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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,991	09/25/2003	Edmund Krannich	HOE-779	4519
20028	7590	04/07/2005	EXAMINER	
Lipsitz & McAllister, LLC 755 MAIN STREET MONROE, CT 06468			SHARMA, RASHMI K	
			ART UNIT	PAPER NUMBER
			3651	

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/670,991	Applicant(s) KRANNICH ET AL.	
	Examiner Rashmi K. Sharma	Art Unit 3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/22/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the two indirectly driven mounting devices must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 9 and 10 are objected to because of the following informalities: it appears that claim 9 line 2 and claim 10 line 2 should recite "*the* mounting device". Appropriate correction is required.

Claim Rejections - 35 USC § 112

Claims 1 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "directly driven mounting device" and "indirectly driven mounting device". It is unclear as to exactly what the Applicant intends to claim using these recitations. Does the Applicant mean the rotating mounting devices and non-rotating mounting devices within the system or does the Applicant mean directly and indirectly driven elements within the same mounting device? Further clarification is required.

Claim 14 recites the limitation "the angular spacings" in line 2 and "the axis" in line 3. There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 7-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kreuzer (WO 01/17691).

Kreuzer discloses a conveyor device for advancing vehicle bodies (1) through a processing zone (20, 21) for the surface treatment of the vehicle bodies, comprising a conveyor (15) which moves the vehicle bodies mounted on a respective mounting device (see Figures 1-3) into the processing zone (20, 21), advances them through the processing zone (20, 21) and then removes them from the processing zone, wherein the mounting devices each comprise a respective base part (2) which is moved in translatory manner in the direction of conveyance and a rotary part (4, 5 or 13) upon which the vehicle body is arranged and which is mounted in a rotatable manner on the base part (2), and wherein the conveyor (15) comprises at least one drive device (6) by means of which at least one respective directly driven mounting device (the mounting device that is shown being dipped into the processing zone) is adapted to be driven directly for movement in the direction of conveyance, whereby, by virtue of contact between the directly driven mounting device and at least one indirectly driven mounting device (the two indirectly driven mounting devices on either side of the mounting device being dipped into the processing zone), the movement of the directly driven mounting device is transmitted to the indirectly driven mounting device, wherein the base part (2) of the respective directly driven mounting device is in contact with the base part (2) of the indirectly driven mounting device (just before the dipping begins), A conveyor device in accordance with claim 1, wherein the mounting devices are advanced through the

conveyor in a circulating manner (see Figures 1-3) wherein the conveyor (15) comprises at least one of a lifting station for lifting the mounting devices and a lowering station for lowering the mounting devices (the entrance into and exit out of the processing zone both encompass a lifting and lowering station, as can be seen in Figures 1-3), wherein at least one roller (3, the two that are directly underneath the base part 2) is arranged on the base part (2) of the mounting device, said roller (3) rolling on a running rail (7) during the movement of the mounting device in the direction of conveyance, wherein the rotary part (4, 5 or 13) of the mounting device comprises at least one guide element (3 or 14), and wherein the conveyor (15) comprises at least one guide track (11 and 12) on which the guide element (3 or 14) is guided in such a manner that the rotary part (4, 5 or 13) is rotated relative to the base part (2), wherein the rotary part (4, 5 or 13) comprises a plurality of guide elements (3 and 14) which are guided successively on the guide track (11 and 12) during the rotation of the rotary part (4, 5 or 13), A conveyor device in accordance with claim 11, wherein the guide track comprises a plurality of guide track sections (area before the entrance to the processing zone, area at the entrance of the processing zone, area within the processing zone, the area exiting the processing zone and the area after the processing zone) that succeed one another in the direction of conveyance, a respective one of the guide elements (3 and 14) being guided on said sections during the rotation of the rotary part (4, 5 and 13), wherein the guide track sections that succeed one another in the direction of conveyance are mutually spaced in the direction of conveyance, wherein the guide elements (3 and 14) are arranged in such a manner that angular spacings between neighbouring guide elements taken with

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reference to the axis of rotation of the rotary part (4, 5 and 13) comprise at least two different values (neighboring guide elements 3 and 14 do have different values relative to the axis of rotation).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kreuzer (WO 01/17691) in view of Gilbert (U.S. Patent number 5,012,917).

Kreuzer as disclosed above, fails to show a friction wheel drive or a friction wheel brake mechanism.

Gilbert does disclose a friction wheel drive (12) and a friction wheel brake (10).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to add the friction wheel drive and friction wheel brake of Gilbert's invention to that of Kreuzer's invention in order to control the speed of each work-piece carrier while it is traveling through the conveyor system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashmi K. Sharma whose telephone number is 571-272-6918. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rks



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